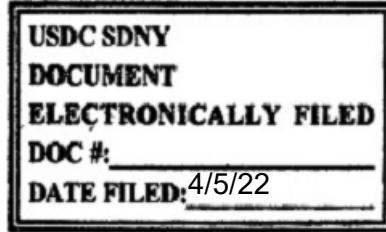




April 1, 2022



VIA ECF

**Mariah L. Passarelli**

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**MEMO ENDORSED**

The Honorable Barbara Moses  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 740  
New York, NY 10007

**Re: Celina Dark and Travis Barry v. Touro College; 1:21-cv-07355**

Dear Judge Moses:

The parties in the above-referenced matter jointly write to request an adjournment of the mediation scheduled before Your Honor for April 12, 2022 (**ECF 23**). The parties are still actively engaged in fact discovery and believe a mediation at this time is premature. The parties propose that the April 12, 2022 mediation be adjourned until a future date following the close of fact discovery. Fact discovery currently closes on April 29, 2022 (**ECF 21**), though the parties anticipate seeking an extension of the same. The parties are cognizant of the Court's instruction to provide two proposed dates (**ECF 23**); however, given the present uncertainty regarding the close of fact discovery, we respectfully request leave to submit a subsequent joint letter to the Court after the close of fact discovery and propose dates for a settlement conference therein.

This is the parties' first request to adjourn mediation scheduled before Your Honor.

Thank you.

Respectfully submitted,

**s/ Mariah L. Passarelli**

**COZEN O'CONNOR**

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**s/ Alex J. Hartzband**

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The Honorable Barbara Moses  
April 1, 2022  
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Application GRANTED. The parties shall promptly contact Judge Moses's deputy at (212) 805-4880 after the close of fact discovery to schedule the settlement conference. Consequently, the conference currently scheduled for April 12, 2022 is ADJOURNED *sine die*. SO ORDERED.



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Barbara Moses  
United States Magistrate Judge  
April 5, 2022